

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Timothy Orr Knight )  
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Appln. No.: 09/945,099 )  
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Filed: August 31, 2001 )  
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Title: Interface and method adapted for )  
capturing subjective preferences of )  
program users )  
 )  
Art Unit: 2174 )  
 )  
Examiner: Peng KE )  
 )  
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Attorney Docket No.: 93712 )

Confirmation No. 4363

I hereby certify that this paper is being  
electronically filed using the USPTO's  
EFS-Web, on April 28, 2010.

Customer No.: 22242

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Comments on Statements of Reasons for Allowance**

Sir:

In response to the Notice of Allowance mailed February 4, 2010, we respectfully submit the following Comments on Statements of Reasons for Allowance.

We acknowledge the Examiner's statements of Reasons for Allowance of the above-referenced patent application and agree that the claimed subject matter is patentable. However, we take no position regarding the Reasons for Allowance presented by the Examiner other than the positions we may have previously taken during prosecution. Therefore, the Examiner's Reasons for Allowance should not be attributed to Applicant as an indication of the basis for Applicant's belief that the claims are patentable. Furthermore, we respectfully assert that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record, and Applicant does not waive its rights to such arguments by not further addressing such reasons herein.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: April 28, 2010

/Nicholas T. Peters/

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